

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

DAMIEN SHONTELL HEWLETT,

Plaintiff,

Case No.: 22-cv-1376

v.

JASON HILL and ZACHARY LANGE,

Defendants.

**MOTION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM
FOR DE'ANGELO CARTER**

NOW COMES Plaintiff, DAMIEN SHONTELL HEWLETT, by his attorney, Kimberley Cy. Motley, and moves this Court for a writ of habeas corpus ad testificandum requiring the presence of Waupun Correctional Facility inmate De'Angelo Carter (Inmate ID 565572) to give testimony at trial. In support thereof, Plaintiff states as follows:

1. Plaintiff requests an order directing the Clerk to issue a writ of habeas corpus ad testificandum requiring the presence of De'Angelo Carter, presently incarcerated in the Waupun Correctional Facility, at the upcoming trial.

2. The presence of De'Angelo Carter is necessary because he is a key fact witness to the Plaintiff's case.

3. This Court should therefore issue the writ, as his testimony is relevant and not duplicious of other testimony. *Stone v. Morris*, 546 F.2d 730, 736-37 (7th Cir. 1976) (writ of habeas corpus ad testificandum is properly issued where necessary for a full and fair hearing).

4. Waupun Correctional Facility officials require an order of this Court to arrange for production of Mr. Carter at trial. Accordingly, Plaintiff has prepared the appropriate order, attached as Exhibit A.

WHEREFORE, Plaintiff, DAMIEN SHONTELL HEWLETT, respectfully requests that this Court enter the order attached as Exhibit A directing the Clerk of the Court to issue a writ of habeas corpus ad testificandum, attached as Exhibit B, requiring the production of Mr. Carter (Inmate ID 565572) at trial for the purpose of presenting in-person testimony.

Respectfully submitted this 20th day of September 2024.

MOTLEY LEGAL SERVICES

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CERTIFICATE OF SERVICE

I, Kimberley Cy. Motley, an attorney, hereby certify that on September 20, 2024, I caused the foregoing Motion for Writ of Habeas Corpus Ad Testificandum to be filed using the Court's CM/ECF system, which effected service on all counsel of record.

/s/ Kimberley Cy. Motley
Attorney for Damien Hewlett